

New Hampshire Racing & Charitable Gaming Commission
Commission Meeting
Concord Office
March 4, 2013
13-03

Present: Timothy J. Connors, Chairman
Warren W. Leary Jr., Secretary
Frederick H. Booth, Member
Michael J. Gatsas, Member
Lynn M. Presby, Member
Anthony B. Urban, Member
Paul M. Kelley, Director
Sudhir K. Naik, Deputy Director
Charles J. Saia, Legal Coordinator
Steve Johnston, Supervisor Gaming Operations
Billie Jean Arseneault, Gaming/Licensing Supervisor
Stratos Argiras, Auditor
Linda R. Darrow, Administrative Secretary

In Attendance: Averill Cate, Dick Bouley, Nick Bonardi, Teresa Rosenberger and Heidi Kroll

The Chairman called the meeting to order at 11:00 a.m.

On a motion by Commissioner Urban, seconded by Commissioner Leary and unanimously voted to approve and place on file the minutes dated February 11, 2013.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the racing & charitable gaming statistics for the fiscal period of July 1 2012 – January 31 2013. It was noted that revenue continues its downward trend.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to accept and place on file the Games of Chance late financials report spreadsheet. Deputy Director Naik noted all but three responses had been received and those three were not due until Friday.

The Games of Chance State Revenue spreadsheets were reviewed. On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to accept and placed on file.

Legal Coordinator Saia provided an overview of the legislative update:

- SB 75 (relative to games of chance) – Executive Session date to be set
- HB 212 (relative to charitable gaming) – Inexpedient to Legislate
- HB 314 (relative to raising limits in games of chance) – Going to House floor on March 6th. Ought to pass
- HB 459 (relative to poker games & charitable gaming) – Retained
- HB 485 & HB 520 (relative to Keno) – continuing to track
- HB 665 & HB 678 (relative to video lottery) – work sessions are scheduled for March 5th

Legal Coordinator Saia noted that HB 564 (relative to simulcast greyhound racing), was found Inexpedient to Legislate in an 11-7 vote in the Executive Session of the House Ways and Means Committee. Director Kelley stated a position letter had been sent on February 13th to Representative Almy by the Commission opposing this bill. Discussion ensued. On a motion by Commissioner Leary, seconded by Commissioner Booth and unanimously voted to send a position letter to House members reaffirming the Commission's opposition to this bill. (Further discussion on this followed later in the meeting – see below).

Director Kelley handed out a copy of the Amendment to SB 152, relative to video lottery and table gaming. He noted several sections that needed clarification:

- Page 27, line 21 – Lottery Commission to have sole regulatory authority over table games?
- Page 28, Lines 1-6 – table games limited to no more than 150 tables. Does this mean there is no minimum number of tables that can be set up?
- Page 37, Section III, Line 29-34 – if a charity wasn't active in FY12, does this mean they are not eligible to participate?
- Page 38, Lines 25-29 – limited to harness racing only? Activities licensed by?

Discussion ensued. With assistance from Commissioner Presby, staff was directed to produce a white paper on the pros and cons of SB 152.

Action Item

- a. *Casino Game Rental bond issue: obtain AG's Office written response to this matter.*
Legal Coordinator Saia emailed the AG's office and they confirmed the State was released from the underlying lawsuit. Discussion ensued. On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to place the bond on file until further notice.

Correspondence:

Correspondence was reviewed and placed on file.

Old Business:

None.

New Business:

- Director Kelley stated that he would be attending the budget hearing on Thursday.
- The agency's move to the Walker Building in December will be a money saver.

There being no questions or comments from the audience, at 11:50 a.m., on a motion by Commissioner Booth, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to adjourn the regular meeting and go into nonpublic session as allowed under RSA 91-A:3, I (b), II(c) and II(j)

Connors	-	Yes
Leary	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

At 12:20 p.m., on a motion by Commissioner Leary, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to come out of the nonpublic session and permanently seal the nonpublic minutes.

Connors	-	Yes
Leary	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

Further discussion ensued concerning the drafting of a letter to House members regarding HB 564. Although the Commission would like to send a letter to all House members regarding the possible implications of the bill, there is not adequate time to prepare the letter as the bill is scheduled for a vote on the House Floor on March 6, 2013. The Commission noted that it had already forwarded a letter to Chairman Almy and members of the House Ways & Means Committee. As such, the Commission may decide to forward a letter to Senate members, should HB 564 proceed to that body.

On a motion by Commissioner Leary, seconded by Commissioner Booth and unanimously voted not to forward a letter regarding the implications of HB 564 to members of the House.

The next meeting is scheduled for Thursday, April 4th at 11:00 a.m., to be held in the Board of Pharmacy conference room.

The Chairman closed the public meeting at 12:45 p.m.

Respectfully Submitted,

Warren W. Leary, Jr.
Secretary